

## Message Text

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ORIGIN NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 MC-02

OMB-01 AID-05 EB-07 /084 R

DRAFTED BY NEA/AFN:DLJAMESON

APPROVED BY P:JJSISCO

NEA:ALATHERTON

EUR:JGLOWENSTEIN

L/PM:JMICHEL

PM/SAS - MR. JAMES (DRAFT)

S/S: MR. BORG

----- 078590

R 102021Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY TRIPOLI

INFO AMEMBASSY ANKARA

SECDEF

C O N F I D E N T I A L STATE 242304

E.O. 11652: GDS

TAGS: MASS, LY, TU

SUBJECT: TRANSFER OF LIBYAN F-5 AIRCRAFT TO TURKEY

1. THE 1967 SALES CONTRACT UNDER WHICH THE F-5'S WERE  
ORIGINALLY MADE AVAILABLE TO LIBYA DOES NOT CONTAIN THE  
STANDARD NON-TRANSFER LANGUAGE USUALLY INCLUDED IN SUCH  
DOCUMENTS. INSTEAD IT STATES QUOTE THE GOL AGREES THAT  
THE ITEMS SOLD WILL BE USED EXCLUSIVELY BY THE ARMED FORCES  
OF LIBYA. IT SHALL NOT DISCLOSE, DISPOSE OF, OR PERMIT  
USE OF ANY PLANS, SPECIFICATIONS OR INFORMATION PERTAINING  
TO ANY ITEMS FURNISHED IN CONNECTION WITH THIS TRANSACTION,  
EXCEPT TO THE EXTENT AUTHORIZED BY THE GOVERNMENT OF THE  
UNITED STATES UNQUOTE. THE CHANGE WAS MADE BECAUSE OF  
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LIBYAN OBJECTIONS TO THE STANDARD WORDING.

2. ALTHOUGH WE INTERPRET THE LANGUAGE CONTAINED IN THE 1967 LETTER OF OFFER AS MEANING THAT TRANSFER IS NOT PERMITTED WITHOUT USG CONSENT, THE NEGOTIATING HISTORY DOES NOT REFLECT COMPLETE AND MUTUAL UNDERSTANDING OF THIS INTERPRETATION.

3. WE DO, HOWEVER, BELIEVE THAT OUR POSITION SHOULD BE MADE CLEAR TO THE LARG. YOU ARE THEREFORE INSTRUCTED TO APPROACH THE FOREIGN MINISTRY AT AN APPROPRIATE LEVEL AND CONVEY THE FOLLOWING MESSAGE:

A. WE HAVE RECEIVED A NUMBER OF REPORTS BOTH IN THE PRESS AND FROM OTHER SOURCES THAT LIBYA HAS TRANSFERRED 7 F-5 AIRCRAFT ORIGINALLY PURCHASED FROM THE UNITED STATES TO TURKEY.

B. WE REGARD THE COMMITMENT MADE BY THE GOVERNMENT OF LIBYA IN THE 1967 CONTRACT OF SALE THAT THE AIRCRAFT WOULD BE USED EXCLUSIVELY BY THE ARMED FORCES OF LIBYA AS INCONSISTENT WITH SUCH A TRANSFER.

C. WE CALL THIS TO THE ATTENTION OF THE LIBYAN GOVERNMENT BECAUSE WE EXPECT THEM TO OBSERVE THEIR CONTRACTUAL OBLIGATIONS AND IN ORDER TO ADVISE THEM THAT ANY ADDITIONAL MILITARY MATERIAL SUPPLIED UNDER US CONTRACT REQUIRING US CONSENT WHICH REMAINS IN LIBYAN POSSESSION SHOULD NOT BE DISPOSED OF WITHOUT SUCH CONSENT. FUTURE LIBYAN CONDUCT IN THIS RESPECT WILL HAVE TO BE TAKEN INTO CONSIDERATION IN DECISIONS BY THE US GOVERNMENT ON APPLICATIONS FOR THE SALE OF MILITARY RELATED EQUIPMENT OR SERVICES TO LIBYA. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FIGHTER AIRCRAFT, MILITARY AIRCRAFT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 10 OCT 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** woolflhd  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE242304  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** DLJAMESON  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D750354-0875  
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**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN NEA  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
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**Review Authority:** woolflhd  
**Review Comment:** n/a  
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**Review Date:** 15 AUG 2003  
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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TRANSFER OF LIBYAN F-5 AIRCRAFT TO TURKEY  
**TAGS:** MASS, LY, TU, US  
**To:** TRIPOLI  
**Type:** TE  
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